

SENATE BILL No. 644

October 24, 2013, Introduced by Senator HILDENBRAND and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1311g (MCL 380.1311g), as amended by 2008 PA 1.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1311g. (1) A strict discipline academy may be located in
2 all or part of an existing public school building. Except for a
3 strict discipline academy that includes pupils who are the
4 responsibility of a county juvenile agency, a strict discipline
5 academy shall not operate at a site other than the single site
6 requested for the configuration of grades that will use the site,
7 as specified in the application required under section 1311d and in
8 the contract.

9 (2) A strict discipline academy shall not charge tuition.

1 Except as otherwise provided in subsection ~~(5)~~, **(6)**, a strict
2 discipline academy shall not discriminate in its pupil admissions
3 policies or practices on the basis of intellectual or athletic
4 ability, measures of achievement or aptitude, status as a student
5 with a disability, or any other basis that would be illegal if used
6 by a school district. However, a strict discipline academy may
7 limit admission to pupils who are within a particular range of age
8 or grade level or on any other basis that would be legal if used by
9 a school district.

10 (3) A strict discipline academy shall be established under
11 sections 1311b to ~~1311f~~ **1311M** specifically for enrolling 1 or more
12 of the following types of pupils:

13 (a) Pupils placed in the strict discipline academy by a court
14 or by the department of human services or a county juvenile agency
15 under the direction of a court.

16 (b) Pupils who have been expelled under section 1311(2).

17 (c) Pupils who have been expelled under section 1311a or
18 another provision of this act.

19 (d) Other pupils who have been expelled from school, or pupils
20 who have been suspended from school for a suspension that is for a
21 period in excess of 10 school days, and who are referred to the
22 strict discipline academy by that pupil's school and placed in the
23 strict discipline academy by the pupil's parent or legal guardian.
24 However, a suspended pupil shall be allowed to attend the strict
25 discipline academy only for the duration of the suspension.

26 (4) In addition to the types of pupils specified in subsection
27 (3), a strict discipline ~~public school~~ academy shall be open for

1 enrollment of a special education pupil who does not meet the
2 requirements of subsection (3) if the special education pupil's
3 individualized education program team recommends that the special
4 education pupil be placed in the strict discipline ~~public school~~
5 academy. As used in this subsection, "individualized education
6 program team" means that term as defined in section 614 of part B
7 of title VI of the individuals with disabilities education act, 20
8 USC 1414.

9 **(5) IN ADDITION TO THE TYPES OF PUPILS SPECIFIED IN**
10 **SUBSECTIONS (3) AND (4), A STRICT DISCIPLINE ACADEMY MAY ENROLL A**
11 **PUPIL WHO IS PLACED IN A HIGH-SECURITY OR MEDIUM-SECURITY JUVENILE**
12 **FACILITY, MENTAL HEALTH FACILITY, OR CHILD CARING INSTITUTION THAT**
13 **IS OPERATED BY A PRIVATE AGENCY.**

14 **(6) ~~(5)~~**A strict discipline academy shall enroll only 1 or
15 more of the types of pupils described in ~~subsection (3) or (4).~~
16 **SUBSECTIONS (3) TO (5).** A strict discipline academy is not required
17 to keep any group of pupils described in ~~subsection (3) or (4)~~
18 **SUBSECTIONS (3) TO (5)** physically separated from another group of
19 those pupils, as might otherwise be required under section 1311,
20 section 1311a, or another provision of this act.

21 **(7) ~~(6)~~**Strict discipline academies are not intended to enroll
22 or otherwise be used to educate individuals who are committed to a
23 high-security or medium-security juvenile facility operated by the
24 department of human services or another state department or agency.
25 Further, if the department of corrections or another state
26 department or agency other than the department of human services
27 has custody of or jurisdiction over a child, that state department

1 or agency has the financial responsibility for educating the child.

2 **(8)** ~~(7)~~—Except for a foreign exchange student who is not a
3 United States citizen, a strict discipline academy shall not enroll
4 a pupil who is not a resident of this state. Enrollment in the
5 strict discipline academy may be open to all individuals who reside
6 in this state who meet the admission policy under subsections (3)
7 ~~and (4)~~ **TO (5)** and shall be open to all pupils who reside within
8 the geographic boundaries, if any, of the authorizing body as
9 described in section 1311d who meet the admission policy under
10 subsections (3) ~~and (4)~~, **TO (5)**, except that admission to a strict
11 discipline academy authorized by the board of a community college
12 to operate, or operated by the board of a community college, on the
13 grounds of a federal military installation, as described in section
14 1311d, shall be open to all pupils who reside in the county in
15 which the federal military installation is located who meet the
16 admission policy under subsections (3) ~~and (4)~~. **TO (5)**. For a
17 strict discipline academy authorized by a state public university,
18 enrollment shall be open to all pupils who reside in this state who
19 meet the admission policy under subsections (3) ~~and (4)~~. **TO (5)**. If
20 there are more applications to enroll in the strict discipline
21 academy than there are spaces available, pupils shall be selected
22 to attend using a random selection process. However, a strict
23 discipline academy may give enrollment priority to a sibling of a
24 pupil enrolled in the strict discipline academy. Except for a
25 suspended pupil who is attending the strict discipline academy for
26 the duration of the suspension, a strict discipline academy shall
27 allow any pupil who was enrolled in the strict discipline academy

1 in the immediately preceding school year to enroll in the strict
2 discipline academy in the appropriate grade unless the appropriate
3 grade is not offered at that strict discipline academy.

4 (9) ~~(8)~~—A strict discipline academy may include any grade up
5 to grade 12 or any configuration of those grades, including
6 kindergarten and early childhood education, as specified in its
7 contract. The authorizing body may approve amendment of a contract
8 with respect to ages of pupils or grades offered.